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This handbook provides the public with sources from which to find information regarding RMP.

David S. Guzy [original signature on file]

Chief, Rules and Publications Staff

Filing instructions:

Guide to Royalty Information

Royalty Management Program



U.S. Department of the Interior
Minerals Management Service
Royalty Management Program

Guide to Royalty Information

Royalty Management Program

Release 2.0

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**U.S. Department of the Interior
Minerals Management Service
Royalty Management Program**

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This document is prepared in an experimental format and has not been edited for conformity with the Royalty Management Program *Documentation Procedures and Format Standards*.

Abbreviations

API	American Petroleum Institute
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CD	compact disk
DNR	(Louisiana) Department of Natural Resources
DOI	Department of the Interior
EIA	Energy Information Administration
FOIA	Freedom of Information Act
GOMR	Gulf of Mexico Region
LDWR	Louisiana Desktop Well Reference
LEAS	Louisiana Energy Access System
LLNL	Lawrence Livermore National Laboratory
MB	megabyte
MMS	Minerals Management Service
OMM	Offshore Minerals Management
RMMLF	Rocky Mountain Mineral Law Foundation
RMP	Royalty Management Program
WOGC	Wyoming Oil and Gas Commission

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What is the Purpose of This Guide?

The Royalty Management Program (RMP) is a program within the Minerals Management Service (MMS), an agency of the U.S. Department of the Interior (DOI). RMP publishes this guide to tell people how to:

- Obtain items RMP publishes and distributes through paper and/or electronic media, and how to receive further explanations of these items.
- Obtain information from sources other than RMP.
- File a request under the Freedom of Information Act (FOIA) for other types of information, and how RMP processes your request.

Background Information

RMP is responsible for ensuring that all revenues from Federal and Indian mineral leases are efficiently, effectively, and accurately collected, accounted for, verified, and disbursed to appropriate recipients in a timely manner. These revenues totaled \$5.9 billion for fiscal year 1998. In addition to a broad range of financial services, RMP operates a comprehensive compliance program that includes an automated compliance verification program to validate the accuracy and timeliness of revenues paid and also an audit program staffed by MMS, State, and Tribal auditors. These collection activities are dependent on the leasing and resource management services of the following Federal agencies:

- **Offshore Minerals Management (OMM) Program** (within MMS) is responsible for offshore leasing and associated operational functions, such as permit approval for drilling and production operations, production verification, onsite inspections, and enforcement.
- **Bureau of Land Management (BLM)** (under DOI) is the leasing agent for all onshore public and acquired Federal lands and the operational supervisor for Indian lands. Operational functions include permit

approval for drilling and production operations, production verification, onsite inspections, and enforcement. BLM also is responsible for surface management of public lands. Other agencies, such as the U.S. Forest Service or the U.S. Army Corps of Engineers, manage the surface of certain acquired lands.

- **Bureau of Indian Affairs (BIA)** (under DOI) facilitates the full development of the human and natural resources of American Indian and Alaska Native people, who manage their own affairs under a trust relationship with the Federal Government. BIA administers all Indian leases and contracts, prepares and maintains title records, and distributes mineral revenues received from RMP to individual Indian mineral owners.

As these agencies issue leases and agreements, the data are transferred to RMP for collection of leasing revenues.

Sources of Information

Most of the information related to energy and mineral resource production that RMP collects is available from other sources. In the interest of economic and efficient Government operations, we won't duplicate the efforts of these other sources. You can obtain free information more readily from Internet sites or by ordering paper publications from private sources or from Government sources other than RMP.

Organizations to contact

Information is readily available from many sources, including the organizations described in the following sections.

U.S. Energy Information Administration (EIA)

EIA is an independent statistical and analytical agency within the U.S. Department of Energy. It publishes numerous reports that include data and analyses of production, prices, and consumption of petroleum, natural gas, coal, and electricity. You can review the information available by visiting EIA's Internet home page at <http://www.eia.doe.gov>.

For further information, you may write to the following address:

National Energy Information Center, EI-30
Energy Information Administration
Room 1F-048
Forrestal Building
1000 Independence Avenue SW
Washington, DC 20585

Phone: (202) 586-8800

University of California—Lawrence Livermore National Laboratory (LLNL)

LLNL has oil and gas production databases for most of the producing States and is developing databases for the remaining States. You can review the information available by visiting LLNL's Internet home page at <http://wildcat.llnl.gov>.

MMS Gulf of Mexico Region (GOMR)

GOMR offers production and lease data on leases in its region on the Internet home page <http://www.gomr.mms.gov>. Products are available for downloading and are offered for sale on compact disks (CD). Included in its Public Information Catalog are reports on leases, pipelines, wells, reserves, platforms, composite polygons, and geographic mapping data. The self-contained CDs (with a copy of Adobe Acrobat Reader) include every monthly production report for Gulf of Mexico Federal leases from January 1947 through December 1996 and show the amount of oil and natural gas produced according to lease, geographical area block, well, and month. GOMR also offers 50 years of Gulf of Mexico paleontological data

(from January 1, 1947, through the most recent, available data). More than 14,000 reports are in an Adobe Acrobat Reader-formatted, 40-megabyte (MB) file that contains reports prepared by both MMS and industry scientists. Copies may be ordered by mail, phone, or fax.

To order by mail, submit a written request to the following address:

Minerals Management Service
Gulf of Mexico OCS Region
Attention: Public Information (MS 5034)
1201 Elmwood Park Boulevard
New Orleans, LA 70123-2394

Phone: (504) 736-2519 or (800) 200-GULF

Fax: (504) 736-2620

**Louisiana Department of Natural Resources, Office of
Conservation, Oil and Gas Division**

The Louisiana Desktop Well Reference (LDWR) provides a graphical, well information system that may be of interest to oil and gas exploration and production companies, independent consultants, geologists, and engineers. LDWR incorporates several levels of well information from the Louisiana Department of Natural Resources (DNR) Production Audit and Reporting System database and geographical information on a single CD. This includes a State map with all well locations and associated production and well completion information from January 1990 through the most recent, available data. DNR also offers dial-up, online access to oil and gas information by way of the Louisiana Energy Access System (LEAS). Through LEAS, DNR provides customers with online access to specified services on its computer. You can get more information by visiting their Internet home page at <http://www.dnr.state.la.us>.

Wyoming Oil and Gas Commission (WOGC)

In addition to a wealth of other information, WOGC's home page includes Wyoming State production data by field, Federal lease number, and American Petroleum Institute (API) well number. You can review the information available by visiting the Internet home page at <http://wogcc.state.wy.us>.

For further information, you may write to the following address:

Don Likwartz
State Oil and Gas Supervisor
777 West First Street
P.O. Box 2640
Casper, WY 82602

Phone: (307) 234-7147

Fax: (307) 234-5306

Other Sources

Most resource-producing States offer similar data. There also are many commercial sources of data, including the reporters/payors who submit information to RMP. Although the Government cannot release information that could cause commercial harm, reporters/payors may decide to release their own data.

RMP Reading Room Records

In keeping with the spirit of FOIA, it is MMS policy to make its records available to the public to the greatest extent possible. Four categories of records—MMS Director's decisions, specific agency policy statements, administrative staff manuals, and previous FOIA releases that are likely to be the subject of requests in the future—must be made available in agency reading rooms, with indexing to facilitate public access. Most of RMP's reading room records are offered for sale through the Rocky Mountain

Mineral Law Foundation's¹ (RMMLF) Gower Federal Service—Royalty Valuation and Management.² RMP has adopted this service as its “official index.”

RMMLF Gower Federal Service—Royalty Valuation and Management

Gower Federal Service—Royalty Valuation and Management is the comprehensive source of information on Federal and Indian royalties. It is updated with full-text copies of MMS Director's decisions addressing Federal and Indian royalty valuation, management, and collection issues. These are supplemented with Payor Letters, Solicitor's Opinions, and comprehensive manuals from periodic Special Institutes on Royalty Valuation and Management. These Special Institutes, co-sponsored by RMMLF and RMP, provide an up-to-date definitive analysis of legal, accounting, marketing, and management issues associated with the current valuation and payment of Federal and Indian (Tribal and allotted) royalties under various Federal and Indian statutes, regulations, leases and agency orders, guidelines, and directives. RMMLF offers numerous royalty management publications for sale.

You can obtain further information on publications by visiting RMMLF's Internet home page at <http://www.rmmlf.org>.

You may write to the following address:

Rocky Mountain Mineral Law Foundation
7039 East 18th Avenue
Denver, CO 80220

Phone: (303) 321-8100

Fax: (303) 321-7657

¹ The Rocky Mountain Mineral Law Foundation is a nonprofit, tax-exempt corporation (tax identification number: 84-6037688).

² The reading room requirement does not apply to any records that “are promptly published and offered for sale.” 5 U.S.C. 552(a)(2). This issue is discussed in *FOIA UPDATE*, Vol. XVII, No. 4, Fall 1996: page 1, and Vol. XVIII, No. 1, Winter 1997: page 2, U.S. Department of Justice, Office of Information and Privacy.

RMP's Internet home page

Many records are publicly available on the RMP Internet home page at <http://www.rmp.mms.gov>. You can access background information for MMS on the Internet home page at <http://www.mms.gov> and for DOI at <http://www.doi.gov>. Most of the RMP records can be accessed through the home page library at <http://www.rmp.mms.gov/library/Library.htm>. It contains four subgroups of information:

Reading Room. This category includes background material and items of general interest, including payor/reporter letters, proposed and enacted laws pertaining to RMP's mission, public comments on *Federal Register* publications, agency comments and testimony on proposed legislation, valuation guidance, frequently requested FOIA information, and Royalty Policy Board documents.

Legal Room. All recent *Federal Register* publications of information collections, notices, proposed rules, and final rules are posted in the legal room.

Technical Information Room. This area provides information (such as handbooks and forms, regulatory analyses, late payment and overpayment interest tables, and other studies) that you need in order to comply with RMP's reporting and paying requirements.

Statistics Room. In the interest of public reporting, RMP and its predecessor agencies published State-level summaries of sales volumes, sales values, and royalties by commodity, with data from 1920 to the present. County-level data reported include sales volumes, Federal and State revenues collected, and revenues distributed to States by commodity. The following publications are available:

- Catalog describing each publication
- *Glossary of Mineral Terms*
- *Coal Revenues*
- *Federal Mineral Revenue Disbursements to States Identified by County of Origin*

- *Mineral Revenue Collections*
- *Mineral Revenue Distributions*
- *Mineral Revenues*
- *Report of Royalty Management Delinquent Account Collection Activities*
- *State Mineral Summaries*
- *Statistical Highlights*

Send questions about these publications to the following email address:
RMP.Information.Requests@mms.gov.

Or contact Steve Rawlings at (303) 231-3230.

You may also order paper copies by email, or call Hannah Price at (303) 231-3373 or Claire Schaeffer at (303) 231-3067.

The Statistics Room also has a hypertext email box at the bottom of the publications page for questions.

FOIA public reading room

RMP's FOIA reading room is located in Building 85, Denver Federal Center, Lakewood, CO. Because the room is within a controlled access area, visitors must make an appointment to review records and make copies. You can make an appointment by calling Dave Guzy at (303) 231-3432 or Don Sant at (303) 231-3899.

Requesting Information under FOIA

The Freedom of Information Act (FOIA) (5 U.S.C. 552) generally provides that any person has a right to access Federal agency records unless the records are protected from disclosure by an exemption or exclusion. You do not need to demonstrate an interest in the records or justify the request. Information will be disclosed, with the exceptions noted in the law, regardless of the form or format of the record. In responding to a request under FOIA, RMP is not required to provide information already furnished or offered for sale by RMMLF Gower Federal Service or through other sources.

FOIA applies only to records in existence at the time RMP receives your request. We are not required to create records, conduct research, compile or analyze data, or answer questions to respond to FOIA requests. The records will not necessarily be made available in their entirety. Some identifying details and other privileged or sensitive information may be deleted. Parts may be withheld according to an exemption if disclosure is prohibited by statute or executive order or if the information involves any of the following FOIA exemptions:

1. Matters of national defense and foreign policy,
2. Internal personnel rules and practices,
3. Information exempted by other statutes,
4. Trade secrets, commercial or financial information (confidential business information),
5. Privileged inter-agency or intra-agency communications,
6. Personal information affecting an individual's privacy,
7. Records compiled for law enforcement purposes,
8. Records of financial institutions, and
9. Geological and geophysical information concerning wells.

Processing FOIA requests

RMP receives information requests from companies or individuals who originally submitted data to us and from other interested parties. Payors/reporters or their authorized representatives may request and receive copies of all the reference data, production data, and royalty data they submitted to us. The division or office that maintains the requested records processes such requests.

For requesters unrelated to the submitters of the original information, RMP withholds sales/royalty value data as commercial or financial information (confidential business information) under exemption 4 on [page 9](#). Such data, when combined with widely available production information, can disclose a payor's pricing strategy and cause competitive harm. Similarly, solid minerals lease level production data are considered confidential because such data reveal cost structure information. Combined with value data, mine production data disclose pricing strategies. RMP will consult with the payors/reporters who submitted the information only if addressing unique situations.³ Accordingly, requests for information from anyone other than the submitter will be processed without notification or consultation with the submitter as follows:

Indian Tribal and allottee leases (except Indian Mineral Development Act leases, which are exempt from FOIA disclosure requirements):

- Oil and gas products—RMP releases all payor accounts, lease, production, and rental data. Annual sales/royalty values by commodity are available only in the summary reports listed under [“Statistics Room” on page 7](#).
- Solid minerals products—RMP releases all payor accounts, lease, and rental/minimum or advanced royalty data. Annual production volumes by commodity are available only in the summary reports listed under [“Statistics Room” on page 7](#).

³ Under the regulations at 43 CFR § 2.15 (d) (4) (i) (1997), consultation is not required when RMP determines the request should be denied. Similarly, the regulations at 43 CFR § 2.15 (d) (4) (ii) (1997) provide that consultation is unnecessary when the information has previously been lawfully published or officially made available to the public.

Federal onshore and offshore leases:

- Oil and gas products—RMP releases all payor accounts, lease, production, and rental/minimum royalty data, except exploratory well data. Annual sales/royalty values by commodity are available only in the summary reports listed under [“Statistics Room” on page 7](#).
- Solid minerals products—RMP releases all payor accounts, lease, and rental/minimum or advanced royalty data. Annual production volumes by commodity are available only in the summary reports listed under [“Statistics Room” on page 7](#).

Routinely withheld information

RMP routinely withholds information as described in this section.

Indian Tribal and allottee leases:

Oil and gas products—RMP withholds monthly and annual sales prices and sales/royalty values at the lease or lower level of detail.

Solid minerals products—RMP withholds monthly and annual sales prices, sales/royalty values, and monthly and annual production data at the lease or lower level of detail.

Federal onshore and offshore leases:

Oil and gas products—RMP withholds monthly and annual sales prices and sales/royalty values at the lease or lower level of detail.

Solid minerals products—RMP withholds monthly and annual sales prices, sales/royalty values, and monthly and annual production data at the lease or lower level of detail.

Voluntarily provided commercial/financial information:

Information voluntarily provided to assist RMP is routinely withheld if the submitter customarily treats the information as proprietary.

Filing FOIA requests

When filing FOIA requests, describe the material you want as specifically as possible. FOIA specifies two requirements for access requests. First, the requestor must “reasonably describe” the records sought. Second, the request must be made in accordance with DOI-published procedural regulations (43 CFR § 2.14 (1997)). Under these regulations, a description of a requested record is sufficient if it enables an agency employee familiar with the subject area to locate the records with a “reasonable amount of effort.” Requests not filed in accordance with published regulations are not deemed received until such time as they are identified as proper FOIA requests by the agency. Prior to that occurrence, the agency has no obligation to search, to meet deadlines, or to release documents. RMP has 20 days to respond to your written request. The 20-day time limit starts when we receive the appropriate fee authorization or grant the fee waiver and agree on the scope of the request.

Before preparing an FOIA request, you may want to contact the MMS/RMP office(s) that you believe may have the records in order to discuss with them how to best describe the records/documents you are requesting. You may also contact the FOIA office for assistance in formulating your request and for help in determining if the records may already be publicly available.

To prevent unnecessary delays, be sure to do the following:

- Send a written request and say your request is under FOIA.
- Describe the records you are requesting.
- State the category of your request for fee purposes—commercial, media, educational, or all others.
- Authorize fees up to the maximum amount you are willing to pay.
- Indicate how you qualify if requesting a fee waiver. (Please see 43 CFR § 2.21 for criteria.)
- Specify the format in which you want your response, such as hard copy, diskette, or magnetic tape.

- Provide a telephone number where we can reach you if we need additional information.

Submit a written request by email to Gregory K. Kann at gregory.kann@mms.gov or by mail to:

Gregory K. Kann
MMS/RMP
P.O. Box 25165
MS-3006
Denver, CO 80225-0165

Phone: (303) 231-3013

Fax: (303) 231-3781

Services and fees

It is the policy of the Government to charge for goods and services provided beyond those received by the general public.⁴ This policy was incorporated in the Department's rule for processing FOIA requests (43 CFR § 2.20 (1997)). Accordingly, you may have to pay for the time spent searching, reviewing, and deleting proprietary data from the records you request. You also must cover the direct costs of the media used to provide the data. The following charges are standard:

Service	Fee
Professional support	\$18.60/hour
Clerical support	\$ 9.20/hour
Photocopies	\$.13/page ⁵
Microfiche	\$.08/page
Computer/magnetic tapes	\$25.00/each ⁶
8-mm tapes	\$10.00/each

⁴ OMB Circular No. A-25 (Revised), No. 6 *General Policy*.

⁵ Double-sided page counts as two pages.

⁶ Magnetic tapes may be returned for a credit toward your next FOIA request. We will not process a cash refund, unless the amount is sufficient to harm the person who overpaid the Government.

Computer diskettes	\$ 1.25/each
Computer time	\$35.00/minute

You are also responsible for fees on overdue bills. These include a \$35 administrative charge plus interest at the prevailing U.S. Treasury rate.

Payments and fee waivers

There are no fees for small requests totaling less than our minimum billing amount. However, advance payment may be requested when fees are likely to exceed \$250 or if there is risk of nonpayment. Fees can be waived or reduced when disclosure of the information is in the public interest, as in the following cases:

- The information is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure is not primarily in the commercial interest of the requester.
- The information is not already in the public domain (43 CFR § 2.21 (1997)).

When the request does not meet these criteria, fee waivers will be denied.

Release History

Release number	Release date	Revised chapters/sections	RMP originator	Preparer
1.0	08/17/98		RPS ^a	AMS/OC ^b
2.0	08/16/99		RPS ^a	AMS/OC ^b

a. Rules and Publications Staff.

b. American Management Systems Operations Corporation, Inc.



As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The Department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.



As a bureau of the Department of the Interior, the Minerals Management Service's (MMS) primary responsibilities are to manage the mineral resources located on the Nation's Outer Continental Shelf (OCS), collect revenue from the Federal OCS and onshore Federal and Indian lands, and distribute those revenues.

Moreover, in working to meet its responsibilities, the **Offshore Minerals Management Program** administers the OCS competitive leasing program and oversees the safe and environmentally sound exploration and production of our Nation's offshore natural gas, oil, and other mineral resources. The MMS **Royalty Management Program** meets its responsibilities by ensuring the efficient, timely, and accurate collection and disbursement of revenue from mineral leasing and production due to Indian tribes and allottees, States, and the U.S. Treasury.

The MMS strives to fulfill its responsibilities through the general guiding principles of (1) being responsive to the public's concerns and interests by maintaining a dialogue with all potentially affected parties and (2) carrying out its programs with an emphasis on working to enhance the quality of life for all Americans by lending MMS assistance and expertise to economic development and environmental protection.